

Claim 10 is amended to more specifically claim the copy protection information received in a signal. The copy protection information, in part b, is claimed as possessing data related to the display formats available for recording received video image information and reproducing recorded video information.

Claims 1, 10 and 19 are amended, in part B of the Claims, from "the received signal" to "said received signal" for clarification.

Support for amended Claim 1 and the other amended Claims is found in the originally filed Claims, in the Application on page 5, lines 14-30, page 6, lines 18-29, Fig. 2, and in other places. A set of marked up Claims and clean Claims are enclosed with this Office Action.

#### *I. Rejection under 35 U.S.C. § 103(a) of Claims 1-9*

Claims 1-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bestler et al., (US 5,680,457). The Applicant disagrees with this ground of rejection.

Applicant's Claim 1 provides features that are neither disclosed nor suggested by Bestler, namely:

"...b) decoding said conditional access information in said received signal, wherein said decoded conditional access information comprises data relating to picture resolution formats available for at least one of:

- i) recording said video image information; and
- ii) reproducing said recorded video image information..."

These features are described in Applicant's specification on page 5, lines 14-30, page 6, lines 18-29, Fig. 2, and in other places.

In particular, the Applicant notes that Bestler neither discloses nor suggests the features of Claim 1 (especially in regards to PID packets) where the decoded conditional access information comprises data related to:

- "i) recording said video image information; and
- ii) reproducing said recorded video image information."

Examiner states that although parts C) and D) (of Claim 1) are not specifically disclosed in Bestler; it is disclosed that, "depending on the desired resolution, recent advances in technology have made possible the transmission and reception of one or more digitally compressed television signals over a single 6 MHZ television channel." Furthermore, the Examiner writes that Bestler operates with MPEG packets containing, "video packets, audio packets, and conditional access packets," and that Bestler discloses a subscription decoder in FIG 1. The Examiner concludes that, "it would been obvious to the skilled in the art ... that the system of Bestler is automatically selecting a picture resolution format appropriate for MPEG systems in response to decoded access information in the DCAM." The Applicant disagrees with the Examiner conclusion.

① Bestler discloses "Depending on the desired resolution, ...transmission and reception of one or more digitally compressed television signals over a 6 MHZ television." The forgoing statement is related towards the advancement of saving bandwidth through the digital compression of a television signal over a television channel. This statement does not support that the system in Bestler would operate with a plurality of picture resolution formats, nor that Bestler with modifications by one skilled in the art would be capable of "adaptively selecting a picture resolution in response to said decoded conditional access information," as claimed in part C. One skilled in the art would conclude, from Bestler, that compressing television signals (via MPEG) saves bandwidth, not that Bestler supports the operation of working with "a plurality of picture resolution formats", for arriving at the claimed features of Claim 1.

2 Applicant also asserts that though Bestler discloses the operation of a DCAM 20 under the MPEG standard with PID authorization packets; Bestler does not disclose or suggest Claim 1's feature of part C claiming "adaptively selecting a picture resolution in response to said decoded conditional access information." Applicant submits the modification suggested by the Examiner for using conditional access packets to allow the DCAM 20 for "adaptively selecting a picture resolution a picture resolution in response to said decoded conditional access information" would represent an unduly burdensome modification of

Bestler that could compromise the intended operation of Bestler. Also, Applicant is unaware of specifically how to modify the complex system of Bestler in combination with an MPEG based standard to arrive at the features in Claim 1.

③ → Claim 2 claims, "wherein selection of said picture resolution format is in response to said decoded conditional access information determining use entitlement to select one of said plurality of available picture formats." This claimed operation is neither described nor suggested by Bestler alone or in combination with the MPEG standard. One skilled in the art would not be motivated to modify Bestler to arrive at the claimed feature of Claim 2, because the system in Bestler does require or suggest such a modification.

For the reasons given above, independent Claim 1 and dependent Claim 2 are believed to overcome the rejection under 35 U.S.C. § 103(a), and Applicant request that the rejection of Claims 1 and 2 be withdrawn. Rejected dependent Claims 3-8, are considered patentable for substantially the same reasons given above for Claims 1 and 2. Claim 9 is considered patentable for the same reasons given above for Claims 1 and 2. Applicant therefore requests that the rejection of these claims be withdrawn as well.

## *II. Rejection under 35 U.S.C. § 103(a) of Claims 10-17*

Claims 10-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanota et al., (US 5,991,500). The Applicant disagrees with this ground of rejection.

The Examiner states that regarding parts C and D of Claim 10 that Kanota discloses that "depending upon the format of the video signal (e.g., NTSC, PAL, HD, etc.)...copyright information and/or copy generation signals may be readily detected by copy protection detector 14." Furthermore, the Examiner writes that "it would have been obvious to the skilled in the art ...that Kanota automatically selecting a format appropriate for the particular display in response to the decoded copy protection information."

The Applicant notes that Claim 10 claims "a plurality of display formats," these display formats are not the same as, "a format of the video signal (e.g., NTSC, PAL, HD)" as cited by the Examiner for one skilled in the art to arrive at the claimed features of Claim 10. Also, although Kanota discloses that the copy protection information represented as selected line intervals may vary a given format of a video signal, copy protection detector 14 does not "adaptively select a format for displaying said video image information in response to said decoded copy protection information", as in Claim 10. Copy protection detector 14 is only capable of detecting copy protection (Column 10, line 2), not for selecting a display format for displaying video image information. Kanota does not disclose or suggest its operation with a "plurality of display formats", as claimed in Claim 10, nor is the Applicant aware on how to modify the system of Kanota for one skilled in the art to arrive at the features of Claim 10 to the operation of Kanota to support a "plurality of display formats".

Claim 11 claims, "wherein selection of said display format is in response to said decoded copy protection information determining user entitlement to select one of said plurality of available display formats." Kanota does not disclose or suggest, in combination with the Examiner's comments, the operation of entitling a user to select "a plurality of available display formats." Kanota only teaches how copy protection information may be applied to prevent further generation recordings (Abstract). One skilled in the art would not arrive at the features in Claim 11 by using the teachings of Kanota because Kanota does not operate with a "plurality of available display formats".

For the reasons given above, independent Claim 10 and dependent Claim 11 are believed to overcome the rejection under 35 U.S.C. § 103(a), and Applicant request that the rejection of Claims 10 and 11 be withdrawn. Rejected dependent Claims 12-17, are considered patentable for substantially the same reasons given above for Claims 10 and 11. Claim 18 is considered patentable for the same reasons given above for Claims 10 and 11. Applicant therefore requests that the rejection of these Claims be withdrawn as well.

### III. Rejection under 35 U.S.C. § 103(a) of Claims 19-29

Claims 19-23, 26 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Knudson et al. (US 6,141,488) in view of Oguro (5,907,656). The Applicant disagrees with this ground of rejection.

The Examiner asserts that Knudson teaches certain elements of parts C and D of Claim 19, where Knudson discloses, "interactive program guides that allow users to access television program listings in different display formats." The Examiner proposes that though Knudson does not disclose a format for recording, Oguro discloses, "a signal format for a recording medium ... [to] protect against digital and analog dubbing," which would allow one skilled in the art to provide a format for recording to, "modify the system of Knudson and process the video information using the selected recording format" [of Oguro].

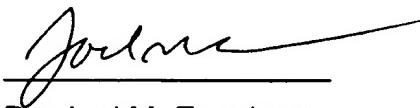
Applicant submits that one skilled in the art would not be motivated to modify Knudson with the teachings of Oguro to arrive at the features of Claim 19, specifically the feature of supporting, "a plurality of recording formats." Knudson is directed towards a program guide system for recording television programs, where the program-listing format of a grid 60 represents how the grid is displayed (column 6, lines 18-23, see Fig. 2). Oguro is directed towards protecting, "the copyright of recording video and audio data against digital and analog recording," (types of recording formats). One skilled in the art when combining both teachings would have two incompatible and inconsistent systems because the display of a grid (from Knudson) is unrelated to having types of recording formats available (Oguro). The combination of Knudson and Oguro also does not arrive at the features claimed in Claim 19. Furthermore, the system in Knudson does not suggest to, require, or motivate one skilled in the art to support "a plurality of recording formats" as cited in Claim 19 by combining Knudson with Oguro.

For the reasons given above, independent Claim 19 is believed to overcome the rejection under 35 U.S.C. § 103(a), and Applicant request that the rejection of Claim 19 be withdrawn. Rejected dependent Claims 20-22, 26, and 27 are considered patentable for substantially the same reasons given above for Claim 19. Claims 24-25 is considered patentable for the same reasons given

above for Claims 10 and 11. Applicant therefore requests that the rejection of these claims be withdrawn as well

Respectfully submitted,

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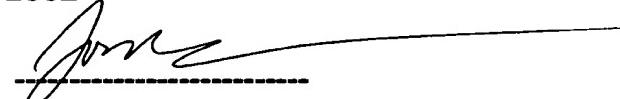
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~~WHAT IS CLAIMED IS:~~

- Sub*
- B1*
- 5 1. (Once Amended) A method of selecting a format for displaying video image information received in a signal including conditional access information, said method comprising the steps of:
- 10      a) receiving said signal including video image information and conditional access information associated with one of a plurality of picture resolution formats;
- 15      b) decoding said conditional access information in [the] said received signal, wherein said decoded conditional access information comprises data relating to picture resolution formats available for at least one of:
- 20      i) recording said video image information; and
- ii) reproducing said recorded video image information;
- 25      c) adaptively selecting a picture resolution format in response to said decoded conditional access information; and
- d) processing said video image information using said selected picture resolution format.
- 30 2. The method of claim 1, wherein selection of said picture resolution format is in response to said decoded conditional access information determining user entitlement to select one of said plurality of available picture resolution formats.
- 35 3. The method of claim 1, wherein said picture resolution format is one of:
- i) a standard definition format; and
- ii) a high definition format.
- 40 4. The method of claim 1, further comprising the step of recording said video image information in said selected picture resolution format on a recording medium.
- 45 5. The method of claim 4, further comprising the step of reproducing said recorded video image information in said selected picture resolution format on a display.
- 50 6. The method of claim 1, wherein said video image information of said received signal is transmitted as a digital signal on a first channel.

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7. The method of claim 6, further comprising the step of receiving ancillary data transmitted on a second channel for controlling processing of said video image data.

5 8. The method of claim 7, wherein said ancillary data is transmitted as an analog video signal.

9. The method of claim 1, wherein each of said plurality of picture resolution formats is associated with a respective billing rate and further comprising  
10 the step of billing a user at the billing rate associated with a selected one of said plurality of picture resolution formats.

*Sub*  
*B2* 10. (Once Amended) A method of selecting a format for displaying video image information received in a signal including copy protection information, said method comprising the steps of:

- 15 a) receiving said signal including video image information and copy protection information associated with one of a plurality of display formats;  
b) decoding said copy protection information in [the] said received signal, wherein said copy protection information comprises data relating to display formats available for at least one of:  
i) recording said video image information; and  
ii) reproducing said recorded video image information;  
c) adaptively selecting a format for displaying said video image information on a display in response to said decoded copy protection information; and  
d) processing said video image information using said selected display format.

20 11. The method of claim 10, wherein selection of said display format is in response to said decoded copy protection information determining user entitlement to select one of said plurality of available display formats.

25 12. The method of claim 10, wherein said display format is one of:

- i) a standard definition format; and  
ii) a high definition format.

30 13. The method of claim 10, further comprising the step of recording said video image information in a format determined by said decoded copy protection information on a recording medium.

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14. The method of claim 13, further comprising the step of reproducing said recorded video image information in said format determined by said decoded copy protection information on a display.

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15. The method of claim 10, wherein said video image information of said received signal is transmitted as a digital signal on a first channel.

10 16. The method of claim 15, further comprising the step of receiving ancillary data transmitted on a second channel for controlling processing of said video image data.

17. The method of claim 16, wherein said ancillary data is transmitted as an analog video signal.

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18. The method of claim 10, wherein each of said plurality of display formats is associated with a respective billing rate and further comprising the step of billing a user at the billing rate associated with a selected one of said plurality of display formats.

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*Sub 153*  
19. (Once Amended) A method of selecting a format for recording video image information received in a signal including copy protection information, said method comprising the steps of:

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- a) receiving said signal including video image information and copy protection information associated with one of a plurality of recording formats;
- b) decoding said copy protection information in [the] said received signal;
- c) adaptively selecting a format for recording said video image information on a recording medium in response to said decoded copy protection information; and
- d) processing said video image information using said selected recording format.

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20. The method of claim 19, wherein selection of said recording format is in response to said decoded copy protection information determining user entitlement to select one of said plurality of available recording formats.

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21. The method of claim 19, wherein said recording format is one of:

- i) a standard definition format; and
- ii) a high definition format.

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22. The method of claim 19, further comprising the step of recording said processed video image information in said selected recording format on a recording medium.

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23. The method of claim 22, further comprising the step of reproducing said recorded video image information in said selected recording format on a display.

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24. The method of claim 19, wherein said copy protection information further includes information indicating a time period during which said processed video image information is able to be reproduced.

25. The method of claim 24, wherein said time period is set in response to said decoded copy protection information determining user entitlement to select one of said plurality of available recording formats.

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26. The method of claim 19, wherein said video image information of said received signal is transmitted as a digital signal on a first channel.

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27. The method of claim 26, further comprising the step of receiving ancillary data transmitted on a second channel for controlling processing of said video image data.

28. The method of claim 27, wherein said ancillary data is transmitted as an analog video signal.

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29. The method of claim 19, wherein each of said plurality of recording formats is associated with a respective billing rate and further comprising the step of billing a user at the billing rate associated with a selected one of said plurality of recording formats.

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